

REMARKS

Claims 1-24 have been canceled without prejudice or disclaimer. Claims 25-45 have been added and therefore are pending in the present application. Claims 25-45 are supported by claims 1-24.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Rejection of Claims 1-24 under 35 U.S.C. 112

Claims 1-24 are rejected under 35 U.S.C. 112 as being indefinite. Claims 1-24 have been cancelled without prejudice or disclaimer. Therefore, this rejection is rendered moot.

II. The Rejection of Claims 1-24 under 35 U.S.C. 103

Claims 1-24 are rejected under 35 U.S.C. 103 as being unpatentable over Allen (U.S. Patent No. 5,389,369) in view of Winkler et al. (U.S. Patent No. 5,928,380) and Cantor et al. (U.S. Patent No. 3,539,520). This rejection is respectfully traversed.

Allen discloses methods and compositions for killing or inhibiting the growth of yeast or sporular microorganisms comprising contacting the microorganisms, with a haloperoxidase, a peroxide, a halide source and at least one antimicrobial activity enhancing agent. Suitable antimicrobial activity enhancing agents are certain alpha-amino acids.

Winkler et al. disclose a method of treating undyed fabric, garment or yarn in an aqueous medium with an effective amount of a haloperoxidase, a halide source and a hydrogen peroxide source. Winkler et al. further disclose that mono-, di- or triethanolamine may be added to the haloperoxidase composition as a buffer to maintain a suitable pH for the haloperoxidase used (Col. 5, lines 47-50).

Cantor et al. disclose detergent sanitizing compositions containing quaternary ammonium germicides in combination with a limited class of block polymer nonionic detergents (col. 2, lines 40-50).

However, Cantor does not disclose or suggest that a quaternary ammonium germicide can be combined with a haloperoxidase, a hydrogen peroxide source and a halide source to produce a synergistic antimicrobial effect.

However, none of the cited references, alone or in combination, teaches or suggests the compositions or the methods claimed herein.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

Date: August 26, 2002



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